

**MENOMINEE TRIBAL LEGISLATURE – REGULAR
THURSDAY, MARCH 17, 2011
TRIBAL OFFICE BOARDROOM
KESHENA, WI 54135
5:00 P.M.**

MEMBERS PRESENT:

Randal Chevalier, Tribal Chairman
Myrna R. Warrington
Rebecca D. Alegria
Craig A. Corn
Lisa S. Waukau
Bruce J. Pecore
Orman D. Waukau Jr
David A. Miller
Laurie A. Boivin

1. Call to Order – Roll Call.

Chairman Chevalier called the meeting to order at 5:00 P.M. Roll call was taken and a quorum was present.

2. Menominee Prayer.

Administrative Service Officer, Jennifer Gauthier said the Menominee Prayer in the Menominee Language.

Legislator Alegria also offered a prayer.

3. Public Comment Period.

Audrey O’Kimosh - Public Comment: She stated that she attended the last meeting, and that tribal member had more than five (5) minutes to speak. She requested that the Tribal Legislature stay with their Legislative rules equal across the board for every tribal member.

4. Wells Fargo Presentation on 184 Home Loans.

A Wells Fargo Banking Representative was accompanied by Wendy Warrington of our Housing Department provided the Tribal Legislature with a presentation on 184 home loan funding that is available to tribal members. Discussions were held, and all answers were delivered with satisfaction.

5. Bid Recommendation for Housing Building Materials for 15 Homes.

MOTION BY REBECCA ALEGRIA TO APPROVE THE BID RECOMMENDATION OF THE BID EVALUATION TEAM AND THE HOUSING DIRECTOR TO AWARD THE HOUSING BUILDING MATERIALS FOR 15 HOMES PROJECT TO TORBORG’S SHAWANO LUMBER WITH APPROVAL FOR HOUSING TO NEGOTIATE PRICE VALUES AND CONTINGENT UPON HOUSING PROVIDING ADDITIONAL FUNDING FOR PRICE DIFFERENCES. (\$367,916.65) SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 5 FOR, 2 OPPOSED (BOIVIN & WARRINGTON), 1 ABSTENTION (PECORE), AND 0 ABSENT.

PLEASE NOTE: Legislator Boivin qualified her opposition as follows: *“I’m opposed to the bid recommendation because I feel it’s significantly over the budget amount and there are a number of other needs that the Housing Department could put their money to use with.”*

Legislator Warrington qualified her opposition as follows: *“I’m opposed, because it’s over budget.”*

6. Bid Recommendation for Food Distribution addition Design/Build.

MOTION BY DAVID MILLER TO APPROVE THE BID RECOMMENDATION AS PER THE BID EVALUATION TEAM. (THE FOOD DISTRIBUTION ADDITION DESIGN / BUILD PROJECT TO BAYLAND BUILDINGS AT \$273,703 AND ATTACHED WORK PLAN WITH APPROVAL TO NEGOTIATE INDIVIDUAL LINE ITEMS ADDITIONS AND DELETIONS IN THE BEST INTEREST OF THE TRIBE, AND CONTINGENT UPON CHANGE APPROVALS AND ADDITIONAL FUNDING FROM USDA.) SECOND WAS MADE BY REBECCA ALEGRIA.

THE MOTION CARRIED: 7 FOR, 1 OPPOSED (BOIVIN), 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Legislator Boivin qualified her opposition for the record as follows: *"the proposed bid is more than the budgeted amount, and I think we should be rejecting those for the amount that we got some issues on."*

7. Bid Recommendation for Housing Painting for 34 Homes.

Tax Commissioner, Wayne Wilber; Property Management and Acquisition Director, Brett Hoffman; and Housing Administrative Assistant, Shane Dixon were present to urge the Tribal Legislature to deny B & P Drywall's bid that the Bid Recommendation Team recommended for approval. The Bid Recommendation Team disputed the bid after all, because the owner is Tribal Legislator Bruce Pecore. They felt that a Tribal Legislator should not be allowed to bid on anything for the Tribe due to the proprietary information Legislative members receive.

MOTION BY REBECCA ALEGRIA TO APPROVE THE BID RECOMMENDATION OF THE BID EVALUATION TEAM TO AWARD THE HOUSING PAINTING FOR 34 HOMES PROJECT TO B & P DRYWALL FOR \$253,700 AS BID INCLUDING THE ATTACHED WORK PLAN. SECOND WAS MADE BY ORMAN WAUKAU. *THE MOTION IS DEFEATED:* 0 FOR, 4 OPPOSED (BOIVIN, CORN, WARRINGTON, & L. WAUKAU), 4 ABSTENTIONS (ALEGRIA, PECORE, O. WAUKAU, & D. MILLER), AND 0 ABSENT.

PLEASE NOTE: Legislator D. Miller qualified his abstention as follows: *"I would like a little bit more clarification from the Legal Department or Intergovernmental Affairs as to the proper way of procedures for a Legislative member."*

Legislator Boivin qualified her opposition as follows: *"I have nothing with Legislator Pecore, and I know he does really good work, but I do wrestle with the Legislator versus private people, and I think that normally we're looked at as private individuals and it's just one of those things that just doesn't look right."*

Legislator Warrington qualified his opposition as follows: *"Like I stated before, I don't feel comfortable with this, and I think it's improper for a Legislator to put in such a bid, and I know he's gonna do it on the grocery store too, so I really have a problem with allowing him to submit bids for himself."*

Legislator Alegria qualified her abstention as follows: *"I abstained on the motion for the reason being that I feel that there should have been a letter of disclosure prior to the bid, and I was a little confused with the way the conversation went with the legal services department whether or not this sufficed and so if there would have been a motion to approve this first and then I would have supported the bid recommendation, because I know how crucial the tax credit projects are, and this is two of them five and six."*

Legislator Corn qualified his opposition as follows: *"the legality of the whole deal, and like Legislator Boivin said if a Legislator voting on work, I think there is a conflict there."*

Legislator L. Waukau qualified her opposition as follows: *"this is a very difficult issue that we're dealing with. I think Mr. Pecore does good work, and I think it certainly speaks well that he employs Menominee. I think that it's critical that we keep Menominee working and we keep them working here. The reason why I voted against this is because of the disclosure issue. I think that because we're Tribal Legislator's, and as Shane (Dixon) said that this is a protection issue, and if there's a perception that Mr. Pecore's receiving some kind of preferential treatment I think we have to stop that, and we do that by the full and open disclosure and wherever we have to do it, we must do that. I think Bruce is fully capable of doing that, and when he does that then I'm not going to object to Mr. Pecore's company getting a bid."*

Legislator Pecore qualified his abstention for the record as follows: *"I've been doing this for many years so when I did get voted in people knew that I worked there. Also I just want to let everyone know that I don't have a problem with every person on this Legislature that works for the Tribe, because this is exactly the same thing! Exactly! It's work, you guys work for the Tribe, well not everyone here there are three members that don't, but the rest do in one capacity or the other. Now if there's gonna be people looking down at me, because I'm trying to bid a job in the same nature as everybody else is bidding it through the RFP process where I have no idea what any kind of budgets are, I come through with a good competitive number"*

I hire Menominee people, I've been doing it for years, and I come in here and do this and now I have people saying well it looks bad. Well guess what? There's the same thing can happen if you work for the Tribe as well. Most people on this Board work for the Tribe in one way or the other."

MOTION BY REBECCA ALEGRIA TO APPROVE A DISCLOSURE LETTER FOR B & P DRYWALL AS B & P DRYWALL HAS 80% MENOMINEE WORKING FOR THEM AS SUBCONTRACTORS OR EMPLOYEES FOR A BID TO PAINT 34 HOMES FOR TAX CREDIT PROJECTS 5 & 6.

PLEASE NOTE: There was no second to the motion; therefore, the motion died.

MOTION BY BRUCE PECORE TO RECOMMEND THAT THE BID EVALUATION TEAM AWARD THE HOUSING PAINTING PROJECT OF 34 HOMES TO TOWN & COUNTRY DRYWALL FOR \$260,000 AS BID PER HIS ORIGINAL BID WITH THE ATTACHED WORK PLAN. SECOND WAS MADE BY LISA WAUKAU. *THE MOTION IS DEFEATED:* 3 FOR, 4 OPPOSED (ALEGRIA, BOIVIN, CORN, & D. MILLER), 1 ABSTENTION (PECORE), AND 0 ABSENT.

PLEASE NOTE: Legislator Alegria qualified her opposition as follows: *"I think the Legislature should paint all of them houses.*

Legislator Corn qualified his opposition as follows: *"I just think we should leave it up to the Bid Evaluation Team they know where we're at; they know what they're looking for."*

Legislator's Boivin & D. Miller did not qualify their oppositions.

Legislator Pecore did not qualify his abstention.

MOTION BY MYRNA WARRINGTON THAT THE BID TEAM WORK WITH C & L CONSTRUCTION TO GO WITH THEIR BID AND THAT IT COME TO THE BUDGETED AMOUNT. SECOND WAS MADE BY CRAIG CORN. *THE MOTION IS DEFEATED:* 3 FOR, 4 OPPOSED (ALEGRIA, BOIVIN, CORN, & O. WAUKAU), 2 ABSTENTIONS (PECORE & L. WAUKAU), AND 0 ABSENT.

PLEASE NOTE: Chairman Chevalier voted in opposition of the motion to break the tie.

Legislator's Alegria, Boivin, Corn, and O. Waukau did not qualify their oppositions.

Legislator's Pecore & L. Waukau did not qualify their abstentions.

MOTION BY LAURIE BOIVIN THAT WE SEND THIS BACK TO THE BID EVALUATION TEAM TO COME BACK AT THE NEXT MEETING WITH A NEW BID RECOMMENDATION BASED ON OUR DISCUSSION REGARDING THE OTHER THREE (3) THAT WEREN'T EVALUATED. SECOND WAS MADE BY MYRNA WARRINGTON. *THE MOTION CARRIED:* 6 FOR, 1 OPPOSED (ALEGRIA), 1 ABSTENTION (O. WAUKAU), AND 0 ABSENT.

PLEASE NOTE: Legislator Alegria qualified her opposition as follows: *"I opposed because B & P Drywall was a responsible bid it was 85% Menominee employee's and this is not to mention the 34 tribal families who have to suffer because of this situation that we're in and it's tax credit 5 & 6 we just have be better at providing work for our tribal businesses and also having faith in our Bid Evaluation Team.*

8. Set Date for Legislative Goal Setting at the College of Menominee Nation.

MOTION BY MYRNA WARRINGTON THAT WE SET OUR MENOMINEE TRIBAL LEGISLATURE GOAL SETTING PROCESS FOR MARCH 26, 2011 AT THE COLLEGE OF MENOMINEE NATION AT 10:00 A.M. SECOND WAS MADE BY CRAIG CORN. *THE MOTION CARRIED:* 7 FOR, 0 OPPOSED, 1 ABSTENTION

(PECORE), AND 0 ABSENT.

PLEASE NOTE: Legislator Pecore qualified his abstention as follows: *"I'm not going to be here."*

9. Approval of Legislative Appointment to the Menominee County Redistricting Committee.

MOTION BY REBECCA ALEGRIA TO APPOINT LEGISLATOR LISA S. WAUKAU TO SERVE AS OUR REPRESENTATIVE ON THE REDISTRICTING COMMITTEE. SECOND WAS MADE BY LAURIE BOIVIN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

10. Approval of January 29, 2011 Recessed Annual General Council Motions.

MOTION BY REBECCA ALEGRIA TO SEND DELIA KOHEL'S GENERAL COUNCIL MOTION OF JANUARY 29, 2011 TO THE ENFORCEMENT RESOURCE AND PROTECTION COMMITTEE TO EXPLORE ESTABLISHING A PUBLIC DEFENDER'S OFFICE. SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY REBECCA ALEGRIA THAT THE JANUARY 29, 2011 GENERAL COUNCIL MOTION BE HELD IN ABEYANCE UNTIL TRIBAL ADMINISTRATION GETS THE NOTIFICATION OF THE GRANT REGARDING THE SOUTH BRANCH COMMUNITY CHURCH RESTORATION EFFORTS. SECOND WAS MADE BY ORMAN WAUKAU. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY DAVID MILLER THAT WE SEND THE JANUARY 29, 2011 MOTION MADE BY DEWEY SCHANANDORE THAT WE SEND THE ISSUE OF APPLYING CANCER CAUSING AGENTS TO OUR RESERVATION OVER TO THE ENFORCEMENT RESOURCE AND PROTECTION COMMITTEE. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY REBECCA ALEGRIA TO CONCUR WITH THE JANUARY 29, 2011 MOTION MADE BY ROSEANNE SCHANANDORE THAT WHEN MEMBERS OF THE LEGISLATURE ARE SENT ON TRAVEL THAT THEY GO, AND IF THEY DON'T ATTEND THAT THEY PAY THAT MONEY BACK TO THIS TRIBE AND THAT THERE IS DISCIPLINARY ACTION, AND THAT THIS MOTION BE SENT TO THE CHAIRMAN'S OFFICE. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

11. Resolution No. 11- __ Tax Credit Project Leases.

MOTION BY BRUCE PECORE TO APPROVE RESOLUTION NO. 11-16 TAX CREDIT PROJECT LEASES, WAIVE THE READING, AND HAVE THE CHAIR AND SECRETARY TO SIGN WITH CORRECTIONS. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

12. Resolution No. 11-__ Resolution in Support of an Application to the U. S. Department of Energy – Golden Field Office Renewable Energy Development and Deployment in Indian Country.

MOTION BY BRUCE PECORE TO APPROVE MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE RESOLUTION NO. 11-17 RESOLUTION IN SUPPORT OF AN APPLICATION TO THE U.S. DEPARTMENT OF ENERGY, GOLDEN FIELD OFFICE RENEWABLE ENERGY DEVELOPMENT AND DEPLOYMENT IN INDIAN COUNTRY, WAIVE THE READING, AND AUTHORIZE THE CHAIR AND SECRETARY TO SIGN. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

13. Resolution No. 11-03 Descendant Register (*April 1, 2010 – June 30, 2010*).

MOTION BY REBECCA ALEGRIA TO APPROVE MENOMINEE TRIBAL LEGISLATURE RESOLUTION NO. 11-03 DESCENDANT REGISTER WITH THE CHANGES IN THE 4TH & 5TH WHEREAS TO ADD THE FOLLOWING: “TRIBAL ROLL AND DESCENDANT REGISTER,” WAIVE THE READING, AND AUTHORIZE THE TRIBAL CHAIRMAN AND SECRETARY TO SIGN. (*APRIL 1 – JUNE 30, 2010*) SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

14. Resolution No. 11-05 Descendant Register (*July 1, 2010 – September 30, 2010*).

MOTION BY MYRNA WARRINGTON TO APPROVE MENOMINEE TRIBAL LEGISLATURE RESOLUTION NO. 11-05 DESCENDANT REGISTER WITH THE ADDITION “TRIBAL ROLLS AND DESCENDANT REGISTER” IN THE 4TH AND 5TH WHEREAS. (*JULY 1 – SEPTEMBER 30, 2010*) SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

15. Resolution No. 11-07 Descendant Register (*October 1, 2010 – December 31, 2010*).

MOTION BY MYRNA WARRINGTON TO APPROVE MENOMINEE TRIBAL LEGISLATURE RESOLUTION NO. 11-07 DESCENDANT REGISTER WITH THE ADDITION OF “DESCENDANT REGISTER” AFTER “TRIBAL ROLLS” IN THE 4TH AND 5TH WHEREAS, WAIVE THE READING, AND APPROVE THE SIGNATURES. (*OCTOBER 1 – DECEMBER 31, 2010*) SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

16. Other Business: Matters of an Immediate Nature that Cannot Wait Until the Next Meeting.

MOTION BY REBECCA ALEGRIA TO TAKE UP AGENDA ITEM NUMBER 16 “OTHER BUSINESS: MATTERS OF AN IMMEDIATE NATURE THAT CANNOT WAIT UNTIL THE NEXT MEETING:” – 1) RESOLUTION NO. 11-18 EXTENSION OF INTERGOVERNMENTAL AGREEMENT BETWEEN MENOMINEE INDIAN TRIBE, MENOMINEE KENOSHA GAMING AUTHORITY, CITY OF KENOSHA, AND COUNTY OF KENOSHA; 2) GREAT LAKES INTER-TRIBAL COUNCIL, INC. SPECIAL REQUEST FOR THE UPCOMING STATE OF THE TRIBE’S ADDRESS; 3) LEGISLATIVE COMMITTEE RE-ASSIGNMENTS; 4) MOTION TO APPOINT NON-MEMBERS TO STANDING COMMITTEE’S; 5) SET SPECIAL MEETING ON APRIL 6, 2011 AT 5:00 P.M.; 6) AUTHORIZE VOTING POWERS FOR CASINO GENERAL MANAGER, JAMES REITER TO VOTE AT THE NATIONAL INDIAN GAMING ASSOCIATION INDIAN GAMING 2011 CONFERENCE ON APRIL 3 – 6, 2011 IN PHOENIX, AZ; & 7) RESOLUTION NO. 11-19 RESOLUTION IN SUPPORT OF AN APPLICATION TO THE U. S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, ADMINISTRATION FOR CHILDREN AND FAMILIES, ADMINISTRATION FOR NATIVE AMERICANS, SOCIAL AND ECONOMIC DEVELOPMENT STRATEGIES – TRIBAL GOVERNANCE GRANT. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

- 1) Resolution No. 11-18 Extension of Intergovernmental Agreement between Menominee Indian Tribe, Menominee Kenosha Gaming Authority, City of Kenosha, and County of Kenosha;**

MOTION BY DAVID MILLER FOR APPROVAL OF RESOLUTION NO. 11-18 EXTENSION OF INTERGOVERNMENTAL AGREEMENT BETWEEN MENOMINEE INDIAN TRIBE, MENOMINEE KENOSHA GAMING AUTHORITY, CITY OF KENOSHA, AND COUNTY OF KENOSHA, WAIVE THE READING, AND THE CHAIRMAN AND SECRETARY TO SIGN. SECOND WAS MADE BY ORMAN WAUKAU. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

- 2) Great Lakes Inter-Tribal Council, Inc. Special Request for the Upcoming State of the Tribe’s Address;**

Chairman Chevalier received correspondence from the Executive Director, Michael Allen of GLITC requesting one (1) tribal member for the Inter-Tribal drum, and two (2) Tribal Veterans for the Color Guard. It was the recommendation of the

Chairman to approve Warren and Elmer Wilber to attend the State of the Tribe's Address in Madison on April 12, 2011.

3) Legislative Committee Re-Assignments;

MOTION BY DAVID MILLER THAT WE ACCEPT THE REVISED COMMITTEE ASSIGNMENTS AS DISCUSSED. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

4) Motion to Appoint Non-Members o Standing Committee's;

MOTION BY REBECCA ALEGRIA TO SEND THE ISSUE OF LEGISLATIVE MAIN COMMITTEE'S AND NON-TRIBAL MEMBER EMPLOYEES TO THE GOVERNMENTAL AFFAIRS COMMITTEE. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

5) Set Special Meeting on April 6, 2011 at 5:00 P.M.;

MOTION BY DAVID MILLER THAT WE SET A SPECIAL MEETING BETWEEN THE MENOMINEE TRIBAL LEGISLATURE AND THE COLLEGE OF MENOMINEE NATION FOR WEDNESDAY, APRIL 6, 2011 AT 5:00 P.M. SECOND WAS MADE BY LAURIE BOIVIN. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 1 ABSTENTION (ALEGRIA), AND 0 ABSENT.

PLEASE NOTE: Legislator Alegria did not qualify her abstention.

6) Authorize Voting Powers for Casino General Manager, James Reiter to Vote at the National Indian Gaming Association Indian Gaming 2011 Conference On April 3 – 6, 2011 in Phoenix, AZ; &

MOTION BY MYRNA WARRINGTON THAT WE DIRECT JAMES REITER TO PASS A VOTE IN FAVOR OF SUPPORTING MR. ERNEST STEVENS FOR NIGA. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

7) Resolution No. 11-19 Resolution In Support of an Application to the U. S. Department of Health and Human Services, Administration for Children and Families, Administration for Native Americans, Social and Economic Development Strategies – Tribal Governance Grant.

MOTION BY REBECCA ALEGRIA TO APPROVE MENOMINEE TRIBAL RESOLUTION NO. 11-19 RESOLUTION IN SUPPORT OF AN APPLICATION TO THE U. S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, ADMINISTRATION FOR CHILDREN AND FAMILIES, ADMINISTRATION FOR NATIVE AMERICANS, SOCIAL AND ECONOMIC DEVELOPMENT STRATEGIES – TRIBAL GOVERNANCE GRANT, AUTHORIZE THE CHAIRMAN AND SECRETARY TO SIGN, AND WAIVE THE READING. SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

17. 10-Day Waiver Request(s).

There was no 10-day waiver request(s) made at this time.

18. 1ST Consideration of Ordinance No. 11-___ Recreational Lease Requests.

MOTION BY LAURIE BOIVIN FOR 1ST CONSIDERATION OF MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 11-07 (*RECREATIONAL LEASE REQUESTS*), AND MOVE TO PUBLIC HEARING AT 4:30 P.M. ON MARCH 31ST (2011). SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

19. 1ST Consideration of Ordinance No. 11-___ FY' 11 Special Appropriations – Grocery Store.

MOTION BY LISA WAUKAU THAT WE ADOPT THE FIRST READ THROUGH OF ORDINANCE NO. 11-08 SPECIAL APPROPRIATIONS – GROCERY STORE, AND SEND TO PUBLIC HEARING ON MARCH 31ST (2011) AT 4:30 P.M. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 6 FOR, 2 OPPOSED (CORN & WARRINGTON), 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Legislator Warrington qualified her opposition as follows: “our workers are going to have to go to a short work week again, and i think that money that we’re using should be used for the workers.”

Legislator Corn qualified his opposition as follows: “same as Legislator Warrington’s.”

20. 1ST Consideration of amendment to Ordinance No. 96-01, 00-11, 04-17, 04-19, 06-03, 06-21, 09-20, & 10-07 Canceling Residential Lease Requests.

MOTION BY REBECCA ALEGRIA TO ADOPT 1ST CONSIDERATION OF AMENDMENT TO ORDINANCE NO. 96-01, 00-11, 04-17, 04-19, 06-03, 06-21, 09-20, & 10-07 CANCELING RESIDENTIAL LEASE REQUEST, AND SEND TO PUBLIC HEARING ON MARCH 31, 2011 AT 4:30 P.M. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

21. 1ST Consideration of Amendment to Ordinance No. 10-27 FY' 11 Kenosha Gaming Authority Budget.

MOTION BY LAURIE BOIVIN THE PUBLIC HEARING 1ST CONSIDERATION OF MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE AMENDMENT TO ORDINANCE NO. 10-27 FISCAL YEAR 2011 KENOSHA GAMING AUTHORITY BUDGET FOR PUBLIC HEARING AT 4:30 P.M. ON MARCH 31ST (2011). SECOND WAS MADE BY ORMAN WAUKAU. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

22. 1ST Consideration of Amendment to Ordinance No. 80-30 – Canceling Residential Lease Request.

MOTION BY LISA WAUKAU TO APPROVE THE FIRST READ THROUGH OF AMENDMENT TO ORDINANCE NO. 80-30 CANCELING RESIDENTIAL LEASE REQUEST TO PUBLIC HEARING ON MARCH 31ST (2011) AT 4:30 P.M. SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

23. 1ST Consideration of Amendment to Ordinance No. 10-20 – Fiscal Year 2011 Tribal Budget (WIEA Conference).

MOTION BY REBECCA ALEGRIA TO APPROVE 1ST CONSIDERATION OF AMENDMENT TO ORDINANCE NO. 10-20 FISCAL YEAR 2011 TRIBAL BUDGET TO PUBLIC HEARING ON MARCH 31, 2011 AT 4:30 P.M. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

24. 1ST Consideration of Ordinance No. 11-01 Residential Lease Request.

MOTION BY CRAIG CORN TO SEND (1ST CONSIDERATION) MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 11-01 RESIDENTIAL LEASE REQUESTS TO PUBLIC HEARING ON MARCH 31, 2011 AT 4:30 P.M. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

25. 1ST Consideration of Ordinance No. 11-02 Recreational Lease Requests.

MOTION BY LAURIE BOIVIN FOR APPROVAL OF THE FIRST READING MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 11-02 RECREATIONAL LEASE REQUESTS TO PUBLIC HEARING AT 4:30

P.M. ON MARCH 31ST. (2011) *SECOND* WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

26. 1ST Consideration of Ordinance No. 11-03 Residential Lease Requests (*Menominee Tribal Housing Limited Partnership # 7*).

MOTION BY LISA WAUKAU FOR THE FIRST READ THROUGH OF ORDINANCE NO. 11-03 RESIDENTIAL (*MENOMINEE TRIBAL HOUSING LIMITED PARTNERSHIP # 7*) TO PUBLIC HEARING ON MARCH 31, 2011 AT 4:30 P.M. *SECOND* WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

27. 1ST Consideration of Ordinance No. 11-04 Residential Lease Requests (*Menominee Tribal Housing Limited Partnership # 8*).

MOTION BY MYRNA WARRINGTON TO *TABLE* ORDINANCE NO. 11-04 RESIDENTIAL (*MENOMINEE TRIBAL HOUSING LIMITED PARTNERSHIP # 8*). *SECOND* WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

28. Final Approval of Repeal of Tribal Ordinance No. 06-29 Communications Protocol.

MOTION BY LISA WAUKAU FOR FINAL APPROVAL OF ORDINANCE NO. 06-29 (*COMMUNICATIONS PROTOCOL*.) *SECOND* WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

29. Final Approval of Amendment to Ordinance No. 99-01 Conservation Code.

MOTION BY CRAIG CORN FOR FINAL APPROVAL OF AMENDMENT TO ORDINANCE NO. 99-01 CONSERVATION CODE. *SECOND* WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

30. Final Approval of Amendment to Ordinance No. 10-20 – Fiscal Year 2011 Tribal Budget (*MIEDA-Grocery Store*).

MOOT – This was approved under agenda item 19 with a new Ordinance specifically for the Grocery Store.

31. Final Approval of Ordinance No. 11-05 Cross Connection Control Program.

MOTION BY DAVID MILLER FOR FINAL APPROVAL OF ORDINANCE NO. 11-05 CROSS CONNECTION CONTROL PROGRAM. *SECOND* WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

32. Final Approval of Ordinance No. 11-06 Use of a Deceased Tribal Leader's Name, Voice, Signature, Photograph or Likeness.

MOTION BY LISA WAUKAU FOR FINAL APPROVAL OF ORDINANCE NO. 11-06 (*USE OF A DECEASED TRIBAL LEADER'S NAME, VOICE, SIGNATURE, PHOTOGRAPH OR LIKENESS*.) *SECOND* WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

33. Approval of Minutes: 1) January 15, 2011 – Annual General Council; 2) February 17, 2011 – Regular; & 3) February 21, 2011 – Recessed Regular.

1) January 15, 2011 – Annual General Council;

MOTION BY MYRNA WARRINGTON TO APPROVE THE ANNUAL GENERAL COUNCIL MEETING MINUTES OF JANUARY 15, 2011 WITH ANY APPLICABLE CORRECTIONS. SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

2) February 17, 2011 – Regular; &

MOTION BY LAURIE BOIVIN FOR APPROVAL OF THE REGULAR MEETING MINUTES OF FEBRUARY 17, 2011 WITH ANY CORRECTIONS. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

3) February 21, 2011 – Recessed Regular.

MOTION BY LAURIE BOIVIN TO APPROVE THE RECESSED REGULAR MENOMINEE TRIBAL LEGISLATURE MINUTES OF FEBRUARY 21, 2011 WITH ANY CORRECTIONS. SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

34. Legislative Time on Task Reports.

Legislator Pecore attended the Prisoner Re-Entry Program meeting on March 3, 2011, and recommended to the Legislature to keep meeting with the workgroup so that we can implement this program and make it a model for people to follow around the country.

MOTION BY DAVID MILLER TO SEND ITEM 3 TO THE ENFORCEMENT RESOURCE AND PROTECTION COMMITTEE FOR FOLLOW-UP. SECOND WAS MADE BY LAURIE BOIVIN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

35. Management Team Reports.

MOTION BY DAVID MILLER: I MOVE THAT WE ACCEPT THE MANAGEMENT TEAM REPORTS AS SUBMITTED. SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

36. Travel Authorization Requests.

MOTION BY DAVID MILLER TO APPROVE TRAVEL AUTHORIZATION FOR THE TRIBAL CHAIRMAN AND ATTORNEY JOHN WILHELMI TO ATTEND THE MEETING WITH KENOSHA CITY REPRESENTATIVES ON MARCH 14, 2011 IN KENOSHA, WI. SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY REBECCA ALEGRIA TO APPROVE TRAVEL AUTHORIZATION FOR CHAIRMAN RANDAL CHEVALIER, MKGA CHAIRMAN LAURIE BOIVIN, REPRESENTATIVE COMMITTEE MEMBER MYRNA WARRINGTON, AND ATTORNEY JOHN WILHELMI TO MEET WITH THE CITY OF KENOSHA IN KENOSHA, WI ON MARCH 21, 2011. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY REBECCA ALEGRIA TO APPROVE TRAVEL FOR CHAIRMAN RANDAL CHEVALIER AND MKGA MEMBERS LAURIE BOIVIN AND MYRNA WARRINGTON AS WELL AS ATTORNEY JOHN WILHELMI TO TRAVEL TO MADISON, WI TO MEET WITH DAIRYLAND REPRESENTATIVES ON MARCH 24, 2011. SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY LAURIE BOIVIN TO APPROVE THE CHICAGO COMMUNITY COMMITTEE LEGISLATOR'S TO ATTEND THE MEETING IN CHICAGO, IL ON APRIL 2, 2011. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

37. Committee Reports and Recommendations:

a. Budget and Finance Committee of March 1, 2011.

i. Request Approval to Authorize Travel for a Member to Attend NAFOA Conference; &

MOTION BY LISA WAUKAU TO CONCUR WITH THE BUDGET AND FINANCE COMMITTEE OF MARCH 1, 2011 TO RECOMMEND TO THE LEGISLATURE TO SEND A MEMBER OF THE BUDGET AND FINANCE COMMITTEE TO THE NATIVE AMERICAN FINANCE OFFICERS ASSOCIATION (MARCH 22 – 23, 2011). NO SECOND NECESSARY. *THE MOTION IS DEFEATED*: 3 FOR, 5 OPPOSED (ALEGRIA, BOIVIN, CORN, D. MILLER, & PECORE), 0 ABSTENTIONS, AND 0 ABSENT.

PLEASE NOTE: Legislator's Alegria, Boivin, Corn, D. Miller & Pecore did not qualify their oppositions.

ii. Request Approval to Appoint a Member to Represent Committee at NAFOA Conference.

The Committee budget is not designed to allow Committee members to travel; therefore, this request is moot.

b. Tribal Forestry Committee of March 7, 2011.

i. Request Approval of MTE 2012 Fall Winter Prescriptions.

MOTION BY CRAIG CORN TO CONCUR WITH THE TRIBAL FORESTRY COMMITTEE OF MARCH 7, 2011 TO RECOMMEND TO THE LEGISLATURE TO APPROVE MTE 2012 FALL WINTER PRESCRIPTION NUMBERS #339-12-01-06 AND # 335-12-01-05 AS SUBMITTED BY THE MTE SILVICULTURALIST AND EXAMINED BY THE MITW TRUST COMPLIANCE OFFICER. NO SECOND NECESSARY. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

c. Community Development Committee of March 8, 2011.

i. Request Approval to Waive Construction Tax.

MOTION BY ORMAN WAUKAU TO CONCUR WITH THE COMMUNITY DEVELOPMENT COMMITTEE OF MARCH 8, 2011 TO RECOMMEND TO THE LEGISLATURE THAT WE WAIVE THE CONSTRUCTION TAX (APPROXIMATELY \$5,000) ON THE MATERIAL FOR THE FOOD DISTRIBUTION FOOD EXPANSION. NO SECOND NECESSARY. THE MOTION CARRIED: 6 FOR, 1 OPPOSED (WARRINGTON), 1 ABSTENTION (L. WAUKAU), AND 0 ABSENT.

PLEASE NOTE: Legislator Warrington qualified her opposition as follows: *"I'm concerned about the Construction Tax Revenue."*

Legislator L. Waukau did not qualify her abstention.

d. Menominee Indian Economic Development Authority

i. Request to Post for Vacancy.

MOTION BY BRUCE PECORE TO CONCUR WITH THE MENOMINEE INDIAN ECONOMIC DEVELOPMENT AUTHORITY (M.I.E.D.A.) OF MARCH 8, 2011 TO REQUEST TO THE MENOMINEE TRIBAL LEGISLATURE TO POST THE VACANT SEAT ON THE M.I.E.D.A. BOARD IMMEDIATELY. NO SECOND NECESSARY. THE MOTION IS CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

38. *As per LRP 5.03 – EXECUTIVE SESSION:* (A) Legal – 1) Standing Pines Lease Agreement; & 2) Approval of Attorney Contract; & 3) Real Estate Issue; (B) Personnel & (C) Gaming – 1) Re-Affirm Proprietary Poll Vote; 2) Kenosha Project Update; & 3) MIGA Board Updates.

MOTION BY LAURIE BOIVIN TO GO INTO EXECUTIVE SESSION. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

*****EXECUTIVE SESSION WAS NOT RECORDED*****

MOTION BY LISA WAUKAU TO COME OUT OF EXECUTIVE SESSION. SECOND WAS MADE BY LAURIE BOIVIN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

(A) Legal

1) Standing Pines Lease Agreement; &

There was no motion made after coming out of Executive Session.

2) Approval of Attorney Contract; &

There was no motion made after coming out of Executive Session.

3) Real Estate Issue;

There was no motion made after coming out of Executive Session.

(B) Personnel &

There was no motion made after coming out of Executive Session.

(C) Gaming

1) Re-Affirm Proprietary Poll Vote;

MOTION BY DAVID MILLER TO REAFFIRM THE PROPRIETARY POLL VOTE OF MARCH 9 AND 10, 2011. SECOND WAS MADE BY ORMAN WAUKAU. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

2) Kenosha Project Update; &

MOTION BY LAURIE BOIVIN THAT WE SET A SPECIAL MEETING ON MARCH 31ST (2011) AT 5:00 P.M. TO BE HELD IN EXECUTIVE SESSION FOR KENOSHA UPDATES AND RECOMMENDATIONS. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

3) MIGA Board Updates.

There was no motion made after coming out of Executive Session.

39. **Resolution No. 11-___ Approval of Attorney Contract.**

MOTION BY REBECCA ALEGRIA TO APPROVE TRIBAL RESOLUTION NO. 11-20 APPROVAL OF ATTORNEY CONTRACT WITH THE LAW FIRM OF MCELROY, MEYER, WALKER, AND CONDON, WAIVE THE READING, AND AUTHORIZE THE SIGNATURES. SECOND WAS MADE BY DAVID MILLER. THE

MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

40. Adjournment.

MOTION BY LISA WAUKAU TO GO PAST THE 10:00 P.M. RULE. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY LISA WAUKAU/LAURIE BOIVIN TO ADJOURN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

Meeting adjourned at 10:52 P.M.

Respectfully submitted by;

A handwritten signature in blue ink that reads "Debra A. Bowman". The signature is written in a cursive, flowing style.

Debra A. Bowman, Recorder/Transcriber
EXECUTIVE SECRETARY, CHAIRMAN'S OFFICE